

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

-----X  
JOHN C. STANTON,

Plaintiff,

v.

Civil Action.  
No. 06-10566-NG

LIGHTHOUSE FINANCIAL SERVICES,  
INC, and THOMAS S. DRUNSIC,

Defendants.

-----X

PLAINTIFF'S MOTION FOR PARTIAL  
JUDGMENT ON THE PLEADINGS

John C. Stanton, the plaintiff, hereby moves for entry of judgment on the pleadings in his favor on the issues of liability with respect to Counts I (breach of contract) and II (violation of the Massachusetts Wage Act, G.L. c. 149, §§148-150) of his Complaint, and for dismissal of the defendants' Counterclaim.

As grounds for this motion, the plaintiff states that the averments of the Complaint, taken with the admissions made by the defendants in their Answer, and the averments in the defendants' Counterclaim, even if taken as true, establish that the defendants cannot prevail with respect to their liability for breach of the plaintiff's contract or violation of the Massachusetts Wage Act, nor can they prevail on their Counterclaim.

Further support of this motion may be found in the accompanying  
Memorandum of Law.

WHEREFORE, John C. Stanton, the plaintiff, prays the court to:

- a. Enter judgment on liability in the plaintiff's favor with respect to the claims made in Count I of the Complaint.
- b. Enter judgment on liability in the plaintiff's favor with respect to the claims made in Count II of the Complaint.
- c. Enter judgment dismissing the defendant's Counterclaim.
- d. Grant such additional relief as the court deems reasonable and proper.

August 2, 2006

Respectfully submitted,

John C. Stanton,  
Plaintiff  
by his attorneys,

Jonathan J. Margolis  
Jonathan J. Margolis  
BBO #319980  
Laurie A. Frankl  
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document(s), filed through the ECF system will be served electronically upon all registered participants as identified in the Notice of Electronic Filing (NEF) and that paper copies will be sent to those indicated as non-registered parties this 2<sup>nd</sup> day of August 2006.

Jonathan J. Margolis  
Jonathan J. Margolis

L.R. 7.1(A)(2) NOTICE

I certify that I have conferred with counsel for the defendants in good faith, in an effort to resolve or narrow the issues presented by this motion.

August 2, 2006

Jonathan J. Margolis  
Jonathan J. Margolis